

Application No. 10/726,356
Submission with RCE

Attorney's Docket No. 0220-069

REMARKS

Claims 2-22 are pending. Claims 11, 14, 17, and 22 have been amended.

Claims 14 and 17 have been amended merely to correct a minor grammatical error.

The final Office Action mailed on January 11, 2005, rejected claims 11, 2, 3, and 5-7 under 35 U.S.C. § 102(e) for anticipation by U.S. Patent Application Publication No. US 2004/0076048 to Kabenjian et al. ("Kabenjian"). The final Action also rejected claims 11, 3, 4, 12, 18, and 20-22 under 35 U.S.C. § 102(b) for anticipation by U.S. Patent No. 6,466,434 to Tsai ("Tsai"). Under 35 U.S.C. § 103(a), the final Action also rejected claims 8-10 for obviousness over Kabenjian and claims 13-17 and 19 for obviousness over Tsai.

Independent claims 11 and 22 have been amended to recite expressly features that are neither taught nor suggested by either Kabenjian or Tsai. Accordingly, it is respectfully submitted that all pending claims are allowable, and an early Notice of same is respectfully solicited.

Independent claims 11 and 22 have been amended to clarify that the wall plate is mountable on the wall of a building structure, which is not the same as the computer circuit cards as in Kabenjian and Tsai. Claims 11 and 22 have also been amended to recite that a portion of one of the surfaces of the wall plate contacts a side of the building wall when the wall plate is mounted on a building wall. Claims 11 and 22 have further been amended to recite that either a printed circuit board (in the case of claim 11) or a transmitting means (in the case of claim 22) is recessed in an opening in the building wall when the wall plate is mounted on the building wall. Support for these amendments can be found at several places in the application as originally filed, including for example page 5 and Figure 5.

As pointed out in the response to the previous Office Action, Tsai's Figure 2a discloses merely a circuit card for installation into the mother board of a desktop computer. Kabenjian discloses merely a circuit card for installation into a component bay of a desktop computer. With respect to the pending claims, Kabenjian is not significantly different from Tsai: Kabenjian's card passes through the computer's front panel, and Tsai's card passes through the computer's rear panel.

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Neither Kabenjian nor Tsai teach or even remotely suggest a wall plate as currently claimed that is mountable on a wall of building, such as a house or office. Moreover, neither Kabenjian nor Tsai teach or remotely suggest a wall plate as currently claimed that has a portion of one of its surfaces in contact with a side of the building wall when the wall plate is mounted on the building wall. Furthermore, neither Kabenjian nor Tsai teach or remotely suggest a wall plate as currently claimed that has either a printed circuit board or a transmitting means recessed in an opening in the building wall when the wall plate is mounted on the building wall.

These failures of the cited documents should not be surprising because Kabenjian and Tsai relate to fields of endeavor that are vastly different from the field of the current claims. Kabenjian and Tsai relate to mounting circuit cards in computers, which it seems needless to point out are exceedingly different from buildings. Any contention that Kabenjian's and Tsai's circuit cards could be mounted in a building wall as currently claimed would require specific support in Kabenjian and Tsai. Because such support is absent, neither Kabenjian nor Tsai support either a rejection for anticipation or a *prima facie* case of obviousness against either independent claim as amended.


In view of the foregoing discussion, it is not necessary to point out the several further differences between the cited documents and the dependent claims. Neither Kabenjian nor Tsai support either a rejection for anticipation or a *prima facie* case of obviousness against any of the dependent claims.

It is believed that this Amendment places the application in condition for allowance, and an early Notice of same is respectfully solicited. If the Examiner has any questions, the undersigned attorney may be telephoned at the number given below.

The Office's attention is drawn to the Power of Attorney to Prosecute Application before the USPTO and the Change of Correspondence Address that accompany this Amendment and Request for Continued Examination.

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Respectfully submitted,


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